



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

Tuesday, August 11, 2015

9:30 AM

49-C. Recommendation as submitted by Supervisors Ridley-Thomas and Kuehl:
Take the following actions:

1. Improve coordination and implementation of diversion efforts throughout Los Angeles County by executing the following:
 - a. Establish a Director of the Office of Diversion position within the Department of Health Services who would be responsible for oversight and coordination of all County-wide diversion of persons who have mental illness or substance abuse issues, and persons who are homeless or at risk of becoming homeless upon discharge, with this position to coordinate closely with the Jail Care Transitions Director;
 - b. Allocate five new positions to the Office of Diversion, which shall include expertise in housing, health, mental health/alcohol and drug prevention and legal/justice issues;
 - c. Direct the Interim County Counsel to work with the Interim Chief Executive Officer to draft a County ordinance within 60 days and take any actions necessary to create the Office of Diversion; and
 - d. Establish a Permanent Steering Committee that is convened by the Interim Chief Executive Officer and is co-chaired on an interim basis by the District Attorney and the Director of Health Services pending hire of the Director of the Office of Diversion, with this Permanent Steering Committee to consist of one leadership representative from each of the following Departments: Chief Executive Office, Superior Court, Public Defender, Alternate Public Defender, District Attorney, Sheriff,

Probation, Fire, Mental Health, Substance Abuse Prevention and the Control Division of the Department of Public Health and Health Services, with the purpose of this advisory committee to the Office of Diversion being to develop and drive forward recommendations so diversion seamlessly occurs across all intercepts:

- i. The Permanent Steering Committee shall meet at least on a monthly basis;
 - ii. The Permanent Steering Committee shall work in collaboration with and be informed by the working groups established by the District Attorney;
2. Task the Office of Diversion and Permanent Steering Committee to identify or create a more standardized diversion assessment tool that all County Departments (including the Superior Court) and key private provider partners will use to triage persons with mental illness and substance abuse issues and persons who are homeless, to determine which services (including housing) are most appropriate, and report back in writing on recommendations, including proposed roll-out, priority populations, projects and training, within 60 days of the Permanent Steering Committee's first meeting, priority populations should include the elderly (ages 62 and older) and veterans;
3. Direct the Interim County Counsel to draft a Memorandum of Understanding between all members of the Permanent Steering Committee, the Sheriff's Department (and any other interested local police departments), and the Los Angeles Homeless Services Authority, on how they will work together to appropriately divert persons with mental health, substance abuse and/or physical health issues and/or who are at risk of homelessness when encountered by law enforcement and emergency services;
4. Direct the Interim Chief Executive Officer to create a diversion fund made up of the following funds and allocate it to the new Office of Diversion:
 - a. 50% of Senate Bill (SB) 678 funds that have accumulated in the Community Corrections Performance Incentives (CCPI) Special Revenue Fund and 50% of all future SB 678 funds that are received by the County beginning in Fiscal Year (FY) 2015 -16;

- b. 50% of all new Public Safety Realignment/Assembly Bill (AB) 109 funds that are received in excess of the amounts budgeted in the FY 2015-16 Adopted Budget;
 - c. \$20,000,000 set aside in the FY 2014-15 Supplemental Budget pursuant to the Board's July 29, 2014 action (Agenda No. 9);
 - d. \$10,000,000 set aside in the FY 2015-16 Recommended Budget pursuant to the Board's April 14, 2015 action (Agenda No. 50);
 - e. All new funding allocated by the Board for the purposes of diversion as defined above;
 - f. All revenue earned, generated or drawn down as part of delivering diversion services so that those funds further diversion efforts and do not replace money allocated for other programs; and
 - g. Instruct the Interim County Counsel and Interim Chief Executive Officer to report back to the Board in writing within 30 days with any concerns or issues identified regarding the proposed transfers;
5. Instruct the Director of the Office of Diversion, within 90 days from adoption of this motion, in coordination with the Permanent Steering Committee, to report back to the Board with specific written recommendations related to the allocation of the diversion funds such that any funding restrictions applicable to any of the financing sources are adhered to so that at least 1,000 individuals are diverted across all intercepts and the diversion funds are dedicated as follows:
- a. 40% for housing;
 - i. Housing funds shall be allocated for rapid re-housing, permanent supportive housing, higher levels of care including board and care facilities and with provisions within each allocation for crisis housing pending placement;
 - ii. Housing shall include related integrated supportive services, such as case-management, mental health treatment, substance abuse treatment, job training and connections to community-based services; and

- iii. These housing activities shall be implemented in coordination with the Single Adult Model and Coordinated Entry System;
- b. 50% for the otherwise unmet costs of expansion of existing successful or implementation of promising diversion and anti-recidivism programs, especially those administered in community settings, such as:
 - i. Development of locked, secure and unlocked mental health treatment beds, including, skilled nursing facilities, institutions for mental diseases and those able to handle dually diagnosed persons;
 - ii. Expansion of successful integrated health programs such as mental health urgent care centers, multidisciplinary integrated teams, forensic full service partnerships, wellness center slots, field capable clinical services in alternative settings;
 - iii. Development of jail mental health teams in the Public Defender and Alternate Public Defender offices;
 - iv. Expansion of diversion and alternative sentencing projects, like those currently in the Van Nuys and San Fernando courts;
 - v. Expansion of the Just-in-Reach program, including the launch of a Pay-for-Success initiative; and
 - vi. New sobering center programs, with the first to be located in the Skid Row area, as well as residential detox and treatment programs;
- c. 10% for overhead, staffing, consultants, evaluation and training, including crisis intervention training for law enforcement;
- d. \$20,188,910 of SB 90 reimbursement shall be set aside to expand community-based capacity for specialized substance use treatment services; and
- e. Include in the report back any recommended adjustments to

any assigned percentage allocations identified above, especially given any concurrent or updated analysis on gaps and capacity needs;

6. Instruct the Director of the Office of Diversion and the Interim Chief Executive Officer to report back in writing in 90 days on how to develop a pipeline of no less than 1,000 permanent supportive housing units over the next five years to support a jail diversion program, including evaluating whether the County has available property within or in close proximity to its medical campus sites that it can make available for development of permanent supportive housing; and
7. Instruct the Director of the Office of Diversion and the Interim Chief Executive Officer to work with the District Attorney and report back in writing in 90 days on a proposed plan to evaluate the efficacy of this diversion initiative. (15-3855)

Danielle Wildkress, Dwayne Dickson, Joseph Maizlish, Sam Lewis, Troy Vaughn, Gabrielle Garcia, Ray Lewis, Steve Diaz, Nicholas Dahmann, Westly Walker, Marsha Temple, Mary Sutton, Carrie Love, Mark-Anthony Johnson, Peter Eliasberg and other interested persons addressed the Board.

Jackie Lacey, District Attorney, Neal Tyler, Interim Undersheriff, and Terri McDonald, Assistant Sheriff, addressed the Board and responded to questions. Sachi A. Hamai, Interim Chief Executive Officer, also responded to questions posed by the Board.

Supervisor Antonovich made a motion, seconded by Supervisor Knabe, to amend Supervisors Ridley-Thomas and Kuehl's joint motion to also instruct the Interim Chief Executive Officer to:

- 1. Immediately notify the contractors (AECOM and DLR) to resume work on the Consolidated Correctional Treatment Facility (CCTF) and Mira Loma which was halted by the Board on June 9, 2015;**
- 2. Ensure that the CCTF and Mira Loma projects move forward simultaneously as a single project, including the timing of awarding the design-built construction contracts and a local worker hire requirement for the CCTF;**
- 3. Reduce the previously approved capacity of the CCTF from 4,885 to 4,600 beds with the majority of the beds dedicated for mental health treatment and substance abuse detoxification needs;**

4. Provide the State Public Works Board all documents required to establish Mira Loma as a project and maintain eligibility in the Assembly Bill 900 grant program provided Item No. 2 above is upheld; and
5. Provide status reports to the Board on a quarterly basis or as significant developments occur.

Further, instruct the Interim Chief Executive Officer to work jointly with the Sheriff to provide a written report to the Board in six months that identifies facilities that are the oldest and most costly to operate and can be downsized or closed in the future to offset any increases in bed capacity at CCTF.

Supervisor Kuehl made an amendment to Supervisor Antonovich's motion to change the number of beds from 4,600 to 3,885. Supervisor Antonovich accepted Supervisor Kuehl's amendment.

Supervisor Solis made a motion to amend Supervisors Ridley-Thomas and Kuehl's joint motion to also instruct the Interim Chief Executive Officer to:

1. Lift the suspension placed on AECOM by the Board on June 9, 2015 pertaining to their work on the Jail Master Plan (Plan B1 as it relates to CCTF), subject to the instruction that AECOM should work at present under the assumption that the CCTF jail bed capacity will be 3,243.
2. Direct Health Management Associates (HMA), assisted in a subcontract capacity by Pulitzer Bogard & Associates, and with the cooperation and support of relevant County Departments, to continue to refine their analysis and projections by:
 - a. Working to investigate and resolve (and if irresolvable, explain why to the Board) the concerns raised by mental health experts and advocacy organizations regarding HMA's initial analysis, especially as to whether the recorded recent increase in the proportion of the jail population with mental illness is due to improved screening procedures or to an actual increase in the percentage of mentally ill inmates.
 - b. Expanding their research and analysis regarding current and

potential community capacity by:

- i. Working with the Sheriff and Chief Probation Officer, as well reviewing recent scholarship and successful diversion programs nationwide, to assess the relevancy of the COMPAS tool (assessing in-custody risk) to the safety risk to the public should an inmate be treated in the community; this research should also solicit and incorporate input from people nationwide who have successful experience treating people with mental illness who have a history of criminal justice system involvement.**
- ii. Working with local mental health and substance abuse service providers to identify the components necessary to develop community capacity (e.g., underutilized housing stock, availability of trained service providers, etc.) and to assess the current state of these components in the County.**

(Subject to availability, the Interim Chief Executive Officer should also consider contracting with Dr. Alexander J. Cowell of RTI, International, a diversion subject matter expert who has advised numerous counties, including Bexar County, Texas (San Antonio) on the development of successful diversion programs.)

- 3. Prepare and submit all necessary paperwork to the State Public Works Board in order to allow approval of the Assembly Bill 900 funding for the Mira Loma project.**

Also, request the Sheriff draft and present to the Board for review a Scope of Work (and an estimate of likely cost) for a long-term County Jail System Master Plan that would include consideration of the decommissioning of existing aging facilities.

Supervisor Solis' motion failed to carry due to a lack of second.

Supervisor Antonovich made a motion to further amend Supervisors Ridley-Thomas and Kuehl's joint motion to require that development and expansion of treatment services and housing capacity in the community include a robust community outreach and input from those residing in the surrounding neighborhoods and are directly affected. Supervisors Ridley-Thomas and Kuehl accepted Supervisor Antonovich's amendment.

Supervisor Knabe made a motion to amend Supervisors Ridley-Thomas and Kuehl's joint motion to adopt the recommendations by HMA and proceed with a footprint for a 4,600 bed CCTF to serve the medical and mental health inmates in County custody; and

- 1. Instruct the Interim Chief Executive Officer and the Director of Public Works to begin all actions necessary to bring to the Board the environmental document for adoption, and appropriate consultant and design/build contracts for consideration for the CCTF;**
- 2. Instruct the Interim Chief Executive Officer to work with HMA to identify opportunities to increase Community-based diversion programs and build capacity;**
- 3. Instruct the Interim Chief Executive Officer to identify the necessary funding and resources required to increase community-based diversion programs and build capacity;**
- 4. Move forward with the proposed Mira Loma Women's facility project with a total of 1,604 beds; and**
- 5. Instruct the Interim Chief Executive Officer, Treasurer and Tax Collector, and Sheriff to identify alternative methods of funding to reduce the overall Net County Cost and long term debt financing for the CCTF project, to include securing State grant funding and financing assistance.**

Supervisor Knabe's motion failed to carry due to a lack of second.

Supervisor Solis made a friendly amendment to Supervisors Ridley-Thomas and Kuehl's joint motion to change the name of the office to the Office of Diversion and Re-Entry instead of the Office of Diversion; and that the proposed Permanent Steering Committee include the Los Angeles City Attorney's Office; significantly more community representation with at least one representative from a mental health service provider and one representative from a mental health advocacy organization; and that the Office of Diversion and Re-Entry be jointly responsible, with the Sheriff, for developing the application for the second phase of the MacArthur Grant. Supervisors Ridley-Thomas and Kuehl accepted Supervisor Solis' friendly amendment.

Supervisor Antonovich made a friendly amendment to Supervisors

Ridley-Thomas and Kuehl's motion to also have a member from the City Attorney's Association as part of the proposed Permanent Steering Committee. Supervisors Ridley-Thomas and Kuehl accepted Supervisor Antonovich's friendly amendment.

After discussion, the Board approved Supervisor Antonovich's motion as amended by Supervisor Kuehl and instructed the Interim Chief Executive Officer to:

1. Immediately notify the contractors (AECOM and DLR) to resume work on the Consolidated Correctional Treatment Facility (CCTF) and Mira Loma which was halted by the Board on June 9, 2015;
2. Ensure that the CCTF and Mira Loma projects move forward simultaneously as a single project, including the timing of awarding the design-built construction contracts and a local worker hire requirement for the CCTF;
3. Reduce the previously approved capacity of the CCTF from 4,885 to 3,885 beds with the majority of the beds dedicated for mental health treatment and substance abuse detoxification needs;
4. Provide the State Public Works Board all documents required to establish Mira Loma as a project and maintain eligibility in the Assembly Bill 900 grant program;
5. Provide status reports to the Board on a quarterly basis or as significant developments occur; and
6. Work jointly with the Sheriff to provide a written report in six months that identifies facilities that are the oldest and most costly to operate and can be downsized or closed in the future to offset any increases in bed capacity at CCTF.

This motion was duly carried by the following vote:

Ayes: 3 - Supervisor Ridley-Thomas, Supervisor Kuehl and Supervisor Antonovich

Noes: 1 - Supervisor Knabe

Abstentions: 1 - Supervisor Solis

The Board further approved Supervisors Ridley-Thomas and Kuehl's

motion, as amended and took the following actions:

- 1. Declared its intent to improve coordination and implementation of diversion efforts throughout Los Angeles County by:**
 - a. Establishing a Director of the Office of Diversion and Re-Entry position within the Department of Health Services who would be responsible for oversight and coordination of all County-wide diversion of persons who have mental illness or substance abuse issues, and persons who are homeless or at risk of becoming homeless upon discharge, with this position to coordinate closely with the Jail Care Transitions Director;**
 - b. Allocating five new positions to the Office of Diversion and Re-Entry, which shall include expertise in housing, health, mental health/alcohol and drug prevention and legal/justice issues;**
 - c. Directing the Interim County Counsel to work with the Interim Chief Executive Officer to draft a County ordinance within 60 days and take any actions necessary to create the Office of Diversion and Re-Entry; and**
 - d. Establishing a Permanent Steering Committee that is convened by the Interim Chief Executive Officer and is co-chaired on an interim basis by the District Attorney and the Director of Health Services pending hire of the Director of the Office of Diversion and Re-Entry, with this Permanent Steering Committee to consist of one leadership representative from each of the following Departments: Chief Executive Office, Superior Court, Public Defender, Alternate Public Defender, District Attorney, Sheriff, Probation, Fire, Mental Health, Substance Abuse Prevention and Control Division of the Department of Public Health, and Health Services, and also include a member of the Los Angeles City Attorney's Office; a member from the City Attorney's Association, significantly more community representation with at least one representative from a mental health service provider and one representative from a mental health advocacy organization, with the purpose of this advisory committee to the Office of Diversion and Re-Entry being to develop and drive forward recommendations so diversion seamlessly occurs across all intercepts:**

- i. **The Permanent Steering Committee shall meet at least on a monthly basis;**
 - ii. **The Permanent Steering Committee shall work in collaboration with and be informed by the working groups established by the District Attorney;**
2. **Tasked the Office of Diversion and Re-Entry and Permanent Steering Committee to identify or create a more standardized diversion assessment tool that all County Departments (including the Superior Court) and key private provider partners will use to triage persons with mental illness and substance abuse issues and persons who are homeless, to determine which services (including housing) are most appropriate, and report back in writing on recommendations, including proposed roll-out, priority populations, projects and training, within 60 days of the Permanent Steering Committee's first meeting with priority populations including the elderly (ages 62 and older) and veterans;**
3. **Directed the Interim County Counsel to draft a Memorandum of Understanding between all members of the Permanent Steering Committee, the Sheriff's Department (and any other interested local police departments), and the Los Angeles Homeless Services Authority, on how they will work together to appropriately divert persons with mental health, substance abuse and/or physical health issues and/or who are at risk of homelessness when encountered by law enforcement and emergency services;**
4. **Directed the Interim Chief Executive Officer to create a diversion fund made up of the following funds and allocate it to the new Office of Diversion and Re-Entry, and directed the Interim County Counsel to report back to the Board in writing within 30 days with any concerns or issues identified regarding the proposed transfers:**
 - a. **50% of Senate Bill (SB) 678 funds that have accumulated in the Community Corrections Performance Incentives (CCPI) Special Revenue Fund and 50% of all future SB 678 funds that are received by the County beginning in Fiscal Year (FY) 2015-16;**
 - b. **50% of all new Public Safety Realignment/Assembly Bill (AB) 109 funds that are received in excess of the amounts budgeted in the**

FY 2015-16 Adopted Budget;

- c. \$20,000,000 set aside in the FY 2014-15 Supplemental Budget pursuant to the Board's July 29, 2014 action (Agenda No. 9);**
 - d. \$10,000,000 set aside in the FY 2015-16 Recommended Budget pursuant to the Board's April 14, 2015 action (Agenda No. 50);**
 - e. All new funding allocated by the Board for the purposes of diversion as defined above;**
 - f. All revenue earned, generated or drawn down as part of delivering diversion services so that those funds further diversion efforts and do not replace money allocated for other programs; and**
- 5. Instructed the Director of the Office of Diversion and Re-Entry, within 90 days from adoption of this motion, in coordination with the Permanent Steering Committee, to report back to the Board with specific written recommendations related to the allocation of the diversion funds such that any funding restrictions applicable to any of the financing sources are adhered to so that at least 1,000 individuals are diverted across all intercepts and the diversion funds are dedicated as follows; and include any recommended adjustments to any assigned percentage allocations identified below, especially given any concurrent or updated analysis on gaps and capacity needs:**
 - a. 40% for housing;**
 - i. Housing funds shall be allocated for rapid re-housing, permanent supportive housing, higher levels of care including board and care facilities and with provisions within each allocation for crisis housing pending placement;**
 - ii. Housing shall include related integrated supportive services, such as case-management, mental health treatment, substance abuse treatment, job training and connections to community-based services; and**
 - iii. These housing activities shall be implemented in coordination with the Single Adult Model and Coordinated Entry System;**
 - b. 50% for the otherwise unmet costs of expansion of existing**

successful or implementation of promising diversion and anti-recidivism programs, especially those administered in community settings, such as:

- i. Development of locked, secure and unlocked mental health treatment beds, including, skilled nursing facilities, institutions for mental diseases and those able to handle dually diagnosed persons;**
 - ii. Expansion of successful integrated health programs such as mental health urgent care centers, multidisciplinary integrated teams, forensic full service partnerships, wellness center slots, field capable clinical services in alternative settings;**
 - iii. Development of jail mental health teams in the Public Defender and Alternate Public Defender offices;**
 - iv. Expansion of diversion and alternative sentencing projects, like those currently in the Van Nuys and San Fernando courts;**
 - v. Expansion of the Just-in-Reach program, including the launch of a Pay-for-Success initiative; and**
 - vi. New sobering center programs, with the first to be located in the Skid Row area, as well as residential detox and treatment programs;**
 - c. 10% for overhead, staffing, consultants, evaluation and training, including crisis intervention training for law enforcement; and**
 - d. \$20,188,910 of Senate Bill 90 reimbursement shall be set aside to expand community-based capacity for specialized substance use treatment services.**
- 6. Instructed the Director of the Office of Diversion and Re-Entry and the Interim Chief Executive Officer to report back in writing in 90 days on how to develop a pipeline of no less than 1,000 permanent supportive housing units over the next five years to support a jail diversion program, including evaluating whether the County has available property within or in close proximity to its medical campus sites that it can make available for development of permanent supportive housing;**

7. Instructed the Director of the Office of Diversion and Re-Entry and the Interim Chief Executive Officer to work with the District Attorney and report back to the Board in writing in 90 days on a proposed plan to evaluate the efficacy of this diversion initiative;
8. Established joint responsibility to the Office of Diversion and Re-Entry and the Sheriff for developing the application for the second phase of the MacArthur Grant; and
9. Required that development and expansion of treatment services and housing capacity in the community include a robust community outreach and input from those residing in the surrounding neighborhoods and are directly affected.

This motion was duly carried by the following vote:

Ayes: 4 - Supervisor Solis, Supervisor Ridley-Thomas, Supervisor Kuehl and Supervisor Antonovich
Noes: 1 - Supervisor Knabe

Attachments: [Motion by Supervisors Ridley-Thomas and Kuehl](#)
[Motion by Supervisor Antonovich](#)
[Motion by Supervisor Solis](#)
[Motion by Supervisor Knabe](#)
[Motion by Supervisor Solis](#)
[Report](#)
[Video I](#)
[Video II](#)
[Audio I](#)
[Audio II](#)

The foregoing is a fair statement of the proceedings of the regular meeting held August 11, 2015, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Patrick Ogawa, Acting Executive
Officer
Executive Officer-Clerk
of the Board of Supervisors

By 

